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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 2860/2018, CM No. 11571/2018
DEEPAK KUMAR Petitioner
Through: Mr. Rajan Khosla, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ANR.
..... Respondents
Through: Mr. Anil Panwar, Adv. with Mr.
Abhimanyu Chauhan and Ms.
Anoosha Panwar, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **03.04.2018**

1. The present petition has been filed by the petitioner with the following prayers:

“It is, therefore, most respectfully prayed that this Hon’ble Court may be pleased to:-

- i) issue a writ, order or direction in the nature of certiorari thereby quashing the impugned Closure Notice No.DHO/N42/17-18/2114 dated 03.03.2018 (received on 9.03.2018) issued by the respondent (Annexure P/2 supra) and SMS received on 11.03.2018 at 9 PM (Annexure P-3 supra) rejecting the petitioner’s Online Health Trade Application No.522027;*
- ii) issue a writ, order or direction in the nature of prohibition thereby prohibition the respondents, their agents, servants, employees, etc. from sealing the premises at A-2/269, 3rd Floor, NH-8, Mahipalpur, New Delhi where the petitioner has been running Gold Leaf Spa.*
- iii) award the casts of the present petition to the petitioner*

- and against the respondents; and*
- iv) *issue any other appropriate writs, orders or directions are deemed fit and proper in the facts and circumstances of the case, in favour of the petitioner and against the respondents.”*

2. The substantive challenge in this petition is to the closure notice dated March 03, 2018. On specific query to the learned counsel for the petitioner whether pursuant to the closure notice, the petitioner is operating the Spa, the answer of the counsel for the petitioner on instructions is that the petitioner has not closed the trade of Spa in view of the closure notice but for carrying the renovation.

3. Be that as it may, I find that the last date of validity of the health trade license was March 31, 2018. If that be so, no relief can be granted to the petitioner against the impugned closure notice. I do not see any reason to interfere with the closure notice except the fact that the learned counsel for the petitioner has expressed his apprehension that even though the petitioner has a right to seek renewal of the health trade license, the closure notice may come in the way of the petitioner to seek renewal.

4. Learned counsel for the respondents state, if the petitioner applies for renewal, the same shall be considered without being influenced by the closure notice in accordance with rules and regulations.

Noting the said statement, the petition is disposed of.

CM No. 11571/2018

In view of the order passed in the writ petition, the present application is dismissed as infructuous.

V. KAMESWAR RAO, J

APRIL 03, 2018/aky